

# **MINUTES OF**

## **THE RHODE ISLAND INDUSTRIAL-RECREATIONAL BUILDING AUTHORITY**

**Meeting #433 – July 14, 2006**

**PRESENT: Frank R. Benell -- Chairperson**

**Michael S. Imbruglia -- Member**

**William B. Sweeney -- Member**

**ABSENT: Frances H. Gammell-Roach -- Vice Chairperson**

**ALSO PRESENT: Earl F. Queenan, Jr. -- Manager**

**Alicia A. Pomfret -- Assistant Manager**

**Anthony J. Scolavino -- Sr. Financial Program Administrator**

**Thomas V. Moses, Esquire -- Legal Counsel**

**Robert C. Bromley -- Senate Fiscal Office**

**The meeting was held at One West Exchange Street, Providence, and  
was called to order by Chairman Benell at 8:37 a.m.**

**Mr. Benell introduced and welcomed Dr. William Sweeney to the Board.**

**Mr. Benell presented the Minutes of the Meeting dated May 23, 2006. Following review and discussion, a motion was made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously adopted to accept the Public and Executive Session Minutes of the Meeting held on May 23, 2006 as presented. A vote was taken by roll call:**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**A motion was then made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously approved to maintain the confidentiality of the Executive Session Minutes of the Meeting of May 23, 2006. A roll call vote was taken:**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**Mr. Benell presented the Watch List as of June 30, 2006. Mr. Queenan performed a review of the report. He noted that the first of four \$100,000 annual payments came in from Hans Dieter-Kobusch a**

**personal guarantor, in connection with the AKL FLEXO TECH-USA LP default. Mr. Moses gave a verbal history of the default. He will follow up with the Board at the next meeting. Following further discussion of the Watch List, a motion was made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously approved to accept this report as submitted. A roll call vote was held:**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**Mr. Benell presented the Portfolio Report dated June 30, 2006. Mr. Queenan reviewed the Report. He informed the Board that the Rhode Island Airport Corporation had recently corresponded to Mr. Carp of CHESTNUT HILL AVIATION that the Airport Corporation is seeking to terminate the Airport Corporation's lease to Mr. Carp.**

**Mr. Carp is in dispute with the Airport Corporation on matters under the lease agreement. Mr. Queenan briefed the Board on the recently passed State Legislation that will require Legislative approval for any future Rhode Island Industrial Facilities Corporation sales tax exempt bonds. He explained that this process would also require full disclosure of the company's application, including financial statements and other documents previously considered confidential by the Rhode Island Industrial Facilities Corporation. The applicants will also have to provide additional information to comply with the legislative requirements and the Rhode Island Economic**

**Development Corporation will have to perform an Economic Impact Analysis. Following further discussion, a motion to accept this report as presented was made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously approved. A vote by roll call was taken:**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**Mr. Queenan presented the Authority's internally prepared financial statements for the twelve months ended June 30, 2006. Following review and discussion, a motion was made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously approved to accept the financial statements as submitted. A roll call vote was held:**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**Under administrative matters, Mr. Queenan informed the Board that Mr. Robert Luneberg resigned from the Authority Board of Directors as he will be retiring in September and moving permanently out of state. He noted that there is a State Legislative Requirement for new Board Members to receive training on Open Meetings Law and Conflict of Interest Procedures. Mr. Moses will be performing this**

**training for new Board Members at a future date.**

**At 9:09 a.m., Mr. Benell declared that he would entertain a motion to adjourn to Executive Session and that an affirmative vote of a majority of the members is required. In accordance with §42-46-4 of the Rhode Island General Laws, a portion of the meeting will be held in Executive Session to consider and take appropriate action on such matters as permitted by subsection (5) (acquisition or lease of real property for public purposes or disposition of publicly held property), subsection (6) (location of prospective businesses in Rhode Island), or subsection (7) (investment of public funds) of Rhode Island General Laws, Section 42-46-5(a), the Open Meetings Law. Mr. Imbruglia motioned to enter into Executive Session, Dr. Sweeney seconded, and a vote was taken.**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**At 9:50 a.m. Mr. Benell requested a motion to return to Open Session, and noted that an affirmative vote of a majority of the members is required in accordance with §42-46-4 of the Rhode Island General Laws. Mr. Imbruglia motioned to return to Public Session, Dr. Sweeney seconded, and a vote was taken.**

**Mr. Imbruglia – aye**

**Dr. Sweeney – aye**

**Mr. Benell – aye**

**In accordance with §42-46-4 of the Open Meetings Law of the General Laws of the State of Rhode Island, the Board revisited the vote taken during Executive Session. A motion was made by Mr. Imbruglia, was seconded by Dr. Sweeney, and was unanimously adopted to ratify the following vote made during the Executive Session:**

**1. On behalf of GLOBAL IMAGING HOLDINGS REALTY, LLC, to approve the request to release Lot #1 of the Slatersville Corporate Center for the consideration of \$100,000 subject to the conditions outlined in the Executive Session Minutes.**

**There being no other business to discuss, Mr. Benell requested a motion to adjourn.**

**Mr. Imbruglia made a motion to adjourn, Dr. Sweeney seconded, and it was unanimously approved to end the meeting.**

**The meeting adjourned at 9:52 a.m.**

**Respectfully submitted,**

**Alicia A. Pomfret**

**Assistant Manager & Assistant Secretary**